

**Division 3. Air Resources Board**

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**Chapter 9. Off-Road Vehicles and Engines Pollution Control Devices**

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**Article 5. Portable Engine and Equipment Registration**

**§ 2458. Recordkeeping and Reporting.**

(a) Any registered portable engine, except for engines operating in STW, that meets one of the following criteria is exempt from the requirements of this section:

(1) an applicable emissions standard as set forth in Title 13 of the California Code of Regulations or 40 CFR Part 89; or

(2) the requirements for a temporary exemption pursuant to sections 2456(f) or (g) of this article; or

(3) for spark-ignition engines, the more stringent of an applicable emissions standard in effect at the time of application or set forth in Table 2 of section 2456 for nonresidential engines.

(b) Except for a rental business and TSE, the owner of a registered portable engine, including engines otherwise preempted under section 209(e), or portable equipment unit shall maintain daily records for each registered portable engine and equipment unit. The daily records shall be maintained at a central place of business for two years, and made accessible to the Executive Officer or districts upon request. Daily records shall be maintained in a format approved by the Executive Officer and include, at a minimum, all of the following:

(1) portable engine or equipment unit registration number;

(2) month, day and year;

(3) the location(s) at which the portable engine or equipment unit was operated, identified by district, county, or specific location(s);

(4) for equipment units, the total process weight or throughput; and

(5) for engines, either total fuel used in gallons per hour or day and an estimate of hours of operation, or actual hours of operation.

(A) If recordkeeping of actual hours of operation is kept instead of fuel use records, then the engine shall be equipped with an operational and properly maintained non-resettable hour meter.

(B) Daily fuel consumption must be measured either by fuel flow meter, fuel tank stick test, or by fuel purchase records. If fuel purchase records or a stick test is used, the operator must record the average operating load of the engine or use the approved operating load default factors, and the calculation approved by the Executive Officer to determine the daily fuel use for the engine. The stick test must be performed prior to the start of and after the shutdown of operations on any given day to determine the amount of fuel used on that day. For an engine that operates on a 24-hour basis, the stick test must be performed once at the same time each day of uninterrupted operation, and then compared to the previous day's test to calculate daily fuel use.

(c) The owner of a registered portable engine or equipment unit owned by a rental business and designated for the purpose of renting, shall maintain records for each transaction. The owner shall provide each person who rents the portable engine or equipment unit with a written copy of applicable requirements of this article, including recordkeeping and notification requirements, as a part of the agreement. The records, including written acknowledgment by each renter of the portable engine or equipment unit of having received the above information, shall be maintained at a central location for two years, and made accessible to the Executive Officer or districts upon request. Records shall be maintained in a format approved by the Executive Officer and include, at a minimum, for each registered portable engine or equipment unit all of the following:

(1) portable engine or equipment unit registration number;

(2) dates portable engine or equipment unit left and returned to a rental yard;

(3) location of operation, identified by district, county, or specific location(s); and

(4) hours of operation for each rental period and estimation of hours operated per day.

(d) Except for TSE, the owner of a registered portable engine or equipment unit shall provide the Executive Officer an annual report, in a format approved by the Executive Officer, within 60 days after the end of each calendar year all of the following information:

(1) reporting year;

(2) for engines, quarterly summaries for each district or county of total fuel usage in gallons per quarter and an estimate of hours of operation, or total hours of operation per quarter, for each portable engine or equipment unit; and

(3) for equipment units, quarterly summaries for each district or county of total process weight or throughput.

(e) For TSE, each military installation shall provide the Executive Officer an annual report, in a format approved by the Executive Officer, within 60 days after the end of each calendar year to include the number, type,

## **Board Administration and Regulatory Coordination Unit**

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and rating of registered TSE at each installation. Any variation of registered TSE to actual TSE shall be accounted for in this annual report. Any increase in the number of TSE at each military installation during the calendar year shall require the military installation to submit an application for registration for the additional TSE along with any applicable fees to the Executive Officer, within 60 days after the end of each calendar year.

NOTE: Authority cited: Sections 39600-39601, 41752-41755, 43013(b) and 43018, Health and Safety Code. Reference: Sections 41750-41755, Health and Safety Code.

##### **REFERENCE**